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EXAMINER

MAKI, STEVEN D

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ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Advisory Action Attachment

new issues

Amending claim 17 to recite "an opening size of each of the plural holes ... is increased ... when compared to an opening size of one of the holes" (emphasis added) is a new issue.

Amending claim 19 to recite "a depth of each of the plural holes ... is increased ... when compared to a depth of one of the holes" (emphasis added) is a new issue.

The remaining changes do not raise new issues.

remarks

Applicant argues that the sipes of Emerson and Japan 310 do not have the unique three-dimensional feature as the fine grooves of the present invention. This argument is not persuasive since "the fine groove has a portion extending in a direction inclined with respect to a radial direction of the tread in the tire" in claim 1 is sufficiently broad to read on sipes, which like those of Emerson and Japan 310, extend in the depth direction of the tread; it being noted that claim 1 reads on the fine groove being inclined at zero degrees with respect the radial direction.

After referring to Figure 6, applicant argues that deformation of the fine groove can be suppressed to ensure rigidity by the interference through adjoining walls defined and regulated in the widthwise direction of the tire. This argument is not commensurate in scope with the claims and is therefore not persuasive since claim 1 describes "the fine groove has a portion extending in a direction inclined with respect to a radial direction of the tread in the tire" *instead of* "deformation of the fine groove can be

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suppressed to ensure rigidity by the interference through adjoining walls defined and regulated in the widthwise direction of the tire" (emphasis added).

Applicant argues that the combination of elements recited in claim 1 obtains a synergetic superior effect that the conflicting performances among the resistance to hydroplaning, steering stability and wear resistance can be established in a high dimension. This argument is not persuasive because no unexpected results over Japan 004 have been shown. The claimed invention has not been compared with Japan 004.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven D. Maki whose telephone number is (571) 272-1221. The examiner can normally be reached on Mon. - Fri. 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (571) 272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Steven D. Maki/
Primary Examiner, Art Unit 1791

Steven D. Maki
November 16, 2009